IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,)
	Plaintiff,) 8:11CR310)
VS	5.)) DETENTION ORDER
JOSE M	ANUEL HERNANDEZ-CRUZ,))
	Defendant.	,
After Refo 23 -	rm Act on October 6, 2011, and an inv	euant to 18 U.S.C. § 3142(f) of the Bail restigation by Pretrial Services (Filing No. amed defendant detained pursuant to 18
The	conditions will reasonably assure the By clear and convincing evidence that	because it finds: nce that no condition or combination of appearance of the defendant as required. It no condition or combination of conditions
The whic	conditions will reasonably assure the appearance of the defendant as required. By clear and convincing evidence that no condition or combination of conditions will reasonably assure the safety of any other person or the community. C. Finding Of Fact The Court's findings are based on the evidence which was presented in court and that which was contained in the Pretrial Services Report, and includes the following: X (1) Nature and circumstances of the offense charged: X (a) The crime: using a counterfeited and falsely made alien registration card (Count I) in violation of 18 U.S.C. § 1546(a)(1) carries a maximum sentence of ten years imprisonment; and the false use of a Social Security number (Count II) in violation of 42 U.S.C. § 408(a)(7) carries a maximum sentence of five years imprisonment. (b) The offense is a crime of violence. (c) The offense involves a narcotic drug. (d) The offense involves a large amount of controlled substances, to wit: (2) The weight of the evidence against the defendant is high. X (3) The history and characteristics of the defendant including: (a) General Factors: The defendant appears to have a mental condition which may affect whether the defendant will appear. The defendant has no steady employment. X The defendant has no substantial financial resources. X The defendant has a history relating to drug abuse. The defendant has a history relating to alcohol abuse. The defendant has a history relating to alcohol abuse. The defendant has a prior record of failure to appear at court proceedings.	

DETENTION ORDER - Page 2

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D. Additional Directives

Pursuant to 18 U.S.C. § 3142(i)(2)-(4), the Court directs that:

- 1. The defendant be committed to the custody of the Attorney General for confinement in a corrections facility separate, to the extent practicable, from persons awaiting or serving sentences or being held in custody pending appeal;
- 2. The defendant be afforded reasonable opportunity for private consultation with counsel; and
- 3. That, on order of a court of the United States, or on request of an attorney for the government, the person in charge of the corrections facility in which the defendant is confined deliver the defendant to a United States Marshal for the purpose of an appearance in connection with a court proceeding.

DATED: October 14, 2011. BY THE COURT:

s/Thomas D. Thalken United States Magistrate Judge